

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

x

IN RE: TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03 MDL 1570 (GBD)

x

THIS DOCUMENT RELATES TO:

Fiona Havlish, et al. v. Bin-Laden, et al.
03 CV 9848 (RCC)

This document is filed on behalf of those Plaintiffs in the above case seeking unliquidated damages for losses as they relate to personal injuries and deaths suffered by victims of the September 11th Terrorist Attacks. Those Plaintiffs are listed in Exhibit A attached hereto.

**PLAINTIFFS' MOTION FOR
JUDGMENT BY DEFAULT AGAINST SOVEREIGN DEFENDANTS**

PLEASE TAKE NOTICE that the *Havlish* plaintiffs listed in Exhibit A, pursuant to Fed.R.Civ.P. 55 and Local Civil Rules 55.1 and 55.2, hereby move for Judgment by Default against the following Defendants: The Islamic Republic of Iran; Ayatollah Ali Hoseini-Khamenei; Ali Akbar Hashemi Rafsanjani; Iranian Ministry of Information and Security; The Islamic Revolutionary Guard Corps.; Hezbollah; The Iranian Ministry of Petroleum; The National Iranian Tanker Corporation; The National Iranian Gas Company; Iran Airlines; The National Iranian Petrochemical Company; Iranian Ministry of Economic Affairs and Finance; Iranian Ministry of Commerce; Iranian Ministry of Defense and Armed Forces Logistics; and, The Central Bank of the Islamic Republic of Iran (the "Sovereign Defendants").

This Motion for Judgment by Default is supported by the following: 1) Exhibit A: List of *Havlish* Plaintiffs Seeking Judgment by Default; 2) Exhibit B: List of Sovereign Defendants properly served and currently in Default; 3) Exhibit C: *Havlish* Second Amended

Complaint; 4) Exhibit D: Affidavit of Service of Original Process Upon All Defendants filed in the U.S.D.C., District of Columbia (the originating court for the *Havlish* action); 5) Exhibit E: Statement of Damages; 6) Exhibit F: Affidavit of Service of Second Amended Complaint; 7) Exhibit G: Clerk's Certificate of Default; 8) Exhibit H: Affidavit of Stephen A. Corr, Esquire in support of Entry of Judgment by Default; and 9) Exhibit I: Proposed Order for Default Judgment.

The *Havlish* Plaintiffs seek the appropriate, most efficient and expeditious path to obtaining judgment by default against the Sovereign Defendants. In the event this Honorable Court believes remand is appropriate under the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, Plaintiffs have attached, as Exhibit J, an alternative proposed Order: Suggestion of Remand.

WHEREFORE, the *Havlish* Plaintiffs respectfully request that this Honorable Court enter the proposed Order attached hereto as Exhibit I and schedule a hearing as soon as practicable or, in the alternative, enter the Proposed Order: Suggestion of Remand attached hereto as Exhibit J.

Dated: August 29, 2008
Doylestown, Pennsylvania

/s Stephen A. Corr

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CERTIFICATE OF SERVICE

I, Stephen A. Corr, Esquire, hereby certify that the defendants in the matter of *Havlish, et al. v. bin Laden, et al.*, are in default and have not registered for ECF and, therefore, those defendants have not been served with the attached Motion. All other interested parties in the consolidated actions are being served through the ECF system this 29th day of August, 2008.

s/ Stephen A. Corr
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